



**IOWA DEPARTMENT OF NATURAL RESOURCES**

**April 26, 2007**

**For immediate release**

1. **Clean up underway at high school in Bode after barometer breaks**
2. **Water quality issues on May EPC agenda**
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## **CLEAN UP UNDERWAY AT HIGH SCHOOL IN BODE AFTER BAROMETER BREAKS**

**BODE** — Classes were cancelled at Twin River Valley High School in Bode on Thursday after an accidentally broken barometer spilled about two tablespoons of mercury.

The barometer had been packed for disposal, but it was discovered that it had been broken at approximately 4 p.m. Wednesday. Mercury, which can vaporize at room temperatures, can be toxic to inhale.

Clean-up was underway on Thursday by Environmental Restorations of Chicago, a firm specializing in cleaning up hazardous materials. The U.S. Environmental Protection Agency (EPA) was also at the high school on Thursday to monitor the clean up.

Approximately 12 people were in the room when the broken barometer was discovered. Their clothes and shoes will be sampled to see if any mercury contamination occurred. In addition, testing was being done at a vacant school building in Livermore to check if some of the mercury may have been tracked to that building.

Twin River Valley High School has approximately 100 students. It was still unknown early Thursday afternoon if classes would resume on Friday.

“The school district has done a very good job of handling this situation by reporting the incident promptly and getting the expertise necessary to make sure that a hazard does not exist for students,” said Michelle Johnson, an environmental specialist for the DNR’s field office in Mason City.

**For more information, contact Michelle Johnson at 515-242-4073.**

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## **WATER QUALITY ISSUES ON MAY EPC AGENDA**

**MEDIA CONTACT: Karen Grimes at (515) 281-5135.**

DES MOINES – The DNR will present a draft of the 2006 list of impaired waters and an update on water quality standards to the Environmental Protection Commission at their May 1 meeting.

After the draft list of impaired waters (also called the 303b list) is presented to commissioners, the DNR will seek and review public comments before finalizing the draft list to send to the U.S. Environmental Protection Agency (EPA).

The DNR will also give commissioners a rule proposal which would set the maximum concentration levels of several chemicals that can be present in streams.

“Most of these chemicals are banned pesticides and dissolved metals,” said Chuck Corell, chief of the DNR water quality bureau. “We’ve been looking at toxicity data, EPA recommendations and other information to determine the concentrations that would not affect aquatic life in Iowa streams. We have some industries and cities in the state that have these metals in their discharges and may be affected.

Commissioners will elect officers and three new commissioners will begin service. They are: Charlotte Hubbell of Des Moines, Susan Heathcote of Des Moines, and Ralph Klemme from LeMars.

The EPC will meet at 10 a.m., in the DNR office, 7900 Hickman Road in Urbandale. Public participation is scheduled for 10:30 a.m. The meeting is open to the public.

The complete agenda is as follows:

- Approval of Agenda
- Approval of Minutes
- Oath of Office
- Election of Officers (Chair, Vice-Chair, and Secretary)

- Director's Remarks
- Budget Overview and Fiscal Year 2009 Preparation
- Contract – Resource Management Social Marketing Strategy - Riester
- Clean Water and Drinking Water State Revolving Loan Funds – 2007 Intended Use Plan Updates to Allow Cross-Program Investment
- Air Quality - Title V Fee SFY 2008 Budget
- Final Rule - Chapter 22, Special Requirements for Visibility Protection
- Final Rule - Chapter 22 (Air Construction Permitting Exemption)
- Referrals to the Attorney General
  - a) U.S. Nation Mart, Inc. and Ved Pal, Davenport, Ia
- Notice of Intended Action – Rescission and adoption of Chapter 7, “Rules of Practice in Contested Cases”
- Notice of Intended Action: Chapter 61, Water Quality Standards (Chemical Criteria Revisions)
- Notice of Intended Action - Chapter 93 - Nonpoint Source Pollution Control Set-Aside Programs
- Update on 567-Chapter 113 “Sanitary Landfills for Municipal Solid Waste: Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes” Rule Making Process and Presentation of Shaw Environmental State Comparison Report
- The draft 2006 state list of CWA Section 303(d) impaired waters
- Storm Water Fee Increase
- Monthly Reports
- General Discussion
  - Next Meeting: June 4-5, 2007 – Muscatine
- Items for next month's meeting

More information about the agenda items can be found on the DNR Web site under Commissions and Boards at [www.iowadnr.gov](http://www.iowadnr.gov).

The members of the commission are Mary Gail Scott, Cedar Rapids; David Petty, Eldora; Suzanne Morrow, Storm Lake; Henry Marquard, Muscatine; Darrell Hanson, Manchester; Charlotte Hubbell of Des Moines; Susan Heathcote, Des Moines; and Ralph Klemme, LeMars. The director of the DNR is Rich Leopold.

*Writer: Karen Grimes*

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## **LEARN ABOUT PLANNING WATERSHED IMPROVEMENT PROJECTS AT MAY 16 MEETING**

**MEDIA CONTACT: Bill Ehm at (515) 281-4701**

MARSHALLTOWN — Those interested in learning more about planning a watershed improvement project or how to become a watershed planner can attend a May 16 meeting in Marshalltown.

The new Watershed Development and Planning Assistance Grants Program assists soil and water conservation districts and local watershed sponsors in assessing and analyzing current watershed conditions, developing and selecting pollutant control alternatives, and writing a watershed plan and watershed project application.

As part of this program, the DNR and the Iowa Department of Agriculture and Land Stewardship - Division of Soil Conservation (DSC) will provide funding to support qualified watershed planners to perform these planning functions. The ultimate goal is to improve applications for local watershed and water quality projects. Watershed improvement projects work to improve water quality in Iowa lakes and streams by focusing on watersheds, the area of land that drains into a stream or lake.

DSC, DNR and the Natural Resources Conservation Service (NRCS) will host the May 16 meeting, covering the process for developing a successful watershed plan and application. The meeting will provide information on the nine-step watershed planning protocol, available assessment tools, data interpretation, the role of a watershed planner, and the necessary components of a complete watershed plan and application.

The meeting will be held at 9 a.m. May 16, in Room 614 at Marshalltown Community College, located at 3700 S. Center St. Individuals interested in performing watershed planning under this program must register by contacting Bill Ehm at (515) 281-4701 or [william.ehm@dnr.state.ia.us](mailto:william.ehm@dnr.state.ia.us) by Friday, May 11.

More information about the Watershed Development and Planning Assistance Grants program can be found on the DNR Web site at [www.iowadnr.gov/water/watershed/project.html](http://www.iowadnr.gov/water/watershed/project.html).

*Writer: Jess Brown*

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## **MANURE OVERFLOWS FROM BASIN IN SHELBY COUNTY**

**MEDIA CONTACT:** Dan Olson at (712) 243-1934.

WESTPHALIA – Heavy rainfall resulted in a manure release from an open feedlot near Westphalia reaching a tributary of Mosquito Creek Tuesday afternoon.

Manure from the overly-full manure storage basin at Schomers Brothers Feedlot overflowed, causing erosion damage to the basin. Employees began pumping the basin to an irrigation system, to prevent further damage to the basin's earthen walls.

The DNR found three areas where the irrigation pipe had significant leaks. Manure from the pipes and the basin entered a roadside ditch, then a grassed waterway running about 2,000 feet to the stream.

“Rainy conditions are not the ideal time to land apply manure,” said Alison Manz, an environmental specialist with the Atlantic DNR field office. “During heavy rains, most of the manure will flow off the field to the nearest stream.”

“The best prevention for this kind of problem is to empty basins when conditions are suitable for land application and before heavy rains,” she said. “I encourage all producers to regularly inspect manure storage structures and make sure they have adequate storage at all times.”

Manz added that producers should also remember that they must report any manure spill to the department within 6 hours.

The DNR does not expect a fish kill because flood conditions have diluted the manure in the stream.

Schomers fixed the pipe leaks on Wednesday and was attempting to shore up the basin walls to prevent further overflows.

The DNR will investigate the incident and consider appropriate enforcement action.

*Writer: Karen Grimes*

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## **MANURE OVERFLOWS FROM FEEDLOT BASIN IN CARROLL COUNTY**

**MEDIA CONTACT: Dan Olson at (712) 243-1934.**

**WILLEY** – The DNR is investigating a manure release two miles south of Willey that eventually reaches the Willey Branch of the Middle Raccoon River.

The release occurred at the Wendl Feedlot in Carroll County. The feedlot, owned by Brian Wendl, is designed to hold run-off from a 5.4-inch rainstorm. The feedlot received more than 5.5 inches of rain Tuesday and another 2.65 inches of rain on Wednesday.

“Since rainfall exceeded the design limits, the feedlot is allowed to discharge,” said Dan Olson, an environmental specialist at the Atlantic DNR field office.

“The basin was built recently and hasn’t been stabilized by vegetation, so we’ve been concerned about erosion,” he added.

To protect the sidewalls of the earthen manure storage basin, Wendl began pumping manure to a nearby field on Wednesday. After failure of a pump, the sidewalls began to erode. Wendl added emergency pumps on Thursday and has hired a commercial manure applicator to help with pumping.

Olson said that other livestock and poultry producers who are having manure releases or might have a manure release should report the incident within 6 hours.

Producers should contact their local DNR field office during business hours and call the 24-hour spill line at (515) 281-8694 after hours and on the weekend.

The DNR has environmental field offices in the following areas:

Northeast Iowa, Manchester, (563) 927-2640.

North Central Iowa, Mason City, (641) 424-4073.

Northwest Iowa, Spencer, (712) 262-4177.

Southwest Iowa, Atlantic, (712) 243-1934.

South Central Iowa, Des Moines, (515) 725-0268.

Southeast Iowa, Washington, (319) 653-2135.

The DNR is continuing to monitor the situation.

*Writer: Karen Grimes*

## **DNR ENFORCEMENT ACTIONS**

**MEDIA CONTACT: Jessie Brown at (515) 281-5131.**

DES MOINES — The DNR took the following enforcement actions in March and April 2007, unless otherwise noted. The following are only briefs; please contact Jessie Brown of the DNR for more information at (515) 281-5131.

Enforcement actions, including copies of the original orders and contact information, are now available on the DNR's Web site at [www.iowadnr.gov/legal/eactions.html](http://www.iowadnr.gov/legal/eactions.html). The web listing will begin with orders first taken in 2007.

### **Consent Orders**

A consent order is issued as an alternative to issuing an administrative order. A consent order indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Allamakee, Clayton Counties**

- Craig Burns, of Postville, agreed in a consent order to perform a structural inspection on a wastewater holding tank, cease operation of the tank until it is certified as structurally sound, obtain an operation permit and pay a \$4,000 penalty. Burns also agreed to plug a nearby private drinking water well if he does

not obtain a variance from the DNR. The consent order is in regard to wastewater violations at a site in Monona.

**Buchanan County**

- The City of Independence agreed in a consent order to pay an \$8,000 penalty. The order is in regard to the improper operation of a city tree burn site.

**Buena Vista County**

- Todd Kay, of Albert City, agreed in a consent order to submit a complete manure management plan (MMP) and \$3,000 penalty. The consent order is in regard to failure to submit a complete Iowa Phosphorus Index Manure Management Plan for a site in Buena Vista County.

**Dubuque County**

- Dyersville Implement, Inc., of Dyersville, agreed in a consent order to remove and properly dispose all contaminated soil from the outlet of a tile line that formerly discharged wastewater from its facility to the North Fork Maquoketa River, and to pay a \$7,500 penalty.

**Johnson County**

- The City of North Liberty agreed in a consent order to complete planned wastewater treatment facility upgrades according to a set schedule, operate and maintain the treatment plant as to prevent the exceedence of authorized discharge limits, and to pay a \$6,000 penalty. The city also agreed to pay stipulated penalties if the upgrade schedule is not followed. The consent order is in regard to wastewater violations.

**Kossuth County**

- Mike Coady, dba Silver Lake Finishing, of Fairmont, Minn., agreed in a consent order to pay a \$4,000 penalty. The consent order is in regard to the use of a non-certified manure applicator at a hog confinement in Kossuth County.

**Lee County**

- Beck Oil Company of Iowa, L.C., of Princeton, Ill., agreed in a consent order to complete repairs and testing on an underground storage tank (UST) that failed a corrosion protection test, to submit monthly leak detection results to the DNR and to pay a \$6,759 penalty. The consent order is in regard to a UST at a site in Fort Madison.

**O'Brien County**

- Griebel Enterprises, Inc., of Paullina, agreed in a consent order to submit a complete manure management plan (MMP) and fee, and to pay a \$3,000 penalty. The consent order is in regard to failure to submit a complete Iowa Phosphorus Index Manure Management Plan for a facility in Baker Township, O'Brien County.

In a separate consent order, Griebel Enterprises agreed to submit a complete MMP and fee, and to pay a \$3,000 penalty. The consent order is in regard to failure to submit a complete Iowa Phosphorus Index Manure Management Plan for a facility in Dale Township, O'Brien County.

#### **Palo Alto County**

- Garrelts Livestock Feeders, LLP, of Ayrshire, agreed in a consent order to submit a complete manure management plan (MMP) and fee, and to pay a \$3,000 penalty. The consent order is in regard to failure to submit an MMP for a site in Palo Alto County.

#### **Scott County**

- Claussen Family Farm, LLC, of Bettendorf, agreed in a consent order to submit a plan of action for the improvement and maintenance of manure controls at its facility, install and maintain manure control structures in accordance with the plan, pay a \$4,000 penalty and \$1,551.02 in fish restitution. The consent order is in regard to a manure release from an open feedlot in Scott County and resulting fish kill in Conduit Creek.

#### **Consent Amendments**

A consent amendment is issued in settlement of a previous administrative order or to amend a pre-existing consent order. A consent amendment indicates that the DNR has voluntarily entered into a legally enforceable agreement with the other party.

#### **Hardin County**

- Iowa Select Farms, L.P., of Hardin County, agreed in a consent amendment to pay a \$250 penalty. This amends a 2003 administrative order regarding animal feeding operations. The amendment was made in February.

#### **Mitchell County**

- The City of Saint Ansgar agreed in a consent amendment to complete construction of all lagoon repairs and improvements and shall comply with all applicable design standards by June 30, 2007. The city agreed to pay a \$1,000 penalty and a \$3,000 stipulated penalty if the repair schedule is not met. This amends a 2006 administrative order regarding wastewater violations.

#### **Poweshiek County**

- T Patrick and Laurie Cashman, of Deep River, agreed in a consent amendment to pay a \$375 penalty. This amends a 2003 administrative order regarding animal feeding operation violations at a site in Poweshiek County.

#### **Ringgold County**

- D&D Ag Enterprises, L.L.C., of Kellerton, agreed in a consent amendment to pay a \$600 penalty. This amends a 2003 administrative order regarding animal feeding operation violations. The amendment was completed in February and the penalty has been paid.



**Wapello County**

- The Ottumwa-Wapello Solid Waste Commission, of Ottumwa, agreed in a consent amendment to modify the previously established compliance schedule for the completion of necessary construction and construction certification for a new waste cell at the Ottumwa-Wapello County Sanitary Landfill. This amends a 2006 administrative order.

*Writer: Jessie Brown*